

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Vickie Marvich and Alvin B. Colley,

Complainants,

vs.

Case 02-03-053

Pacific Gas and Electric Company,

Defendant.

**ADMINISTRATIVE LAW JUDGE'S RULING
DENYING REQUEST FOR EXTENSION OF TIME**

On September 19, 2002, Alvin B. Colley (Complainant) requested an extension of time to file comments on the draft decision in this proceeding mailed August 1, 2002 (Draft Decision). Complainant requests the extension because he asserts that he needs a revised Form EIA 861. Complainant argues that Form EIA 861 is relevant to this proceeding as it will show improper accounting of the megawatts sold to the ultimate end-use customers, hence improper accounting of the revenues collected. Complainant requests that he be allowed to file comments on the Draft Decision within 10 days after Pacific Gas and Electric Company (PG&E) provides copies of revised Form EIA 861.

PG&E opposes Complainant's request on the ground that Form EIA 861, whether revised or not, is irrelevant to the procedural flaws with this case which are the subject of the Draft Decision.

IT IS RULED that Complainant's request is denied. The Draft Decision dismisses the complaint because of failure to state a claim under Public Utilities Code Section 1702. The availability of a revised Form EIA 861 is not relevant to Complainant's failure to state a claim under Section 1702. Therefore, there is no reason to grant Complainant's request. However, Complainants may file comments on the Draft Decision addressing the Section 1702 issue within 10 days of the date of this ruling. Pacific Gas and Electric Company may file reply comments within 10 days of Complainants filing comments.

Dated September 26, 2002, at San Francisco, California.

/s/ BERTRAM D. PATRICK

Bertram D. Patrick
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Denying Request for Extension of Time on all parties of record in this proceeding or their attorneys of record.

Dated September 26, 2002, at San Francisco, California.

/s/ FANNIE SID

Fannie Sid

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.